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S E C R E T SECTION 01 OF 02 BEIRUT 000199

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SUBJECT: LEBANON: ARAB LEAGUE TO SEEK LEBANESE DIALOGUE,  
AGREEMENT ON TRIBUNAL

Classified By: Jeffrey D. Feltman, Ambassador. Reason: 1.4 (d).

SUMMARY

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11. (S) Hisham Youssef, Deputy to Arab League  
Secretary-General Amr Moussa, is visiting Lebanon to test the

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waters before Moussa resumes his mediation of Lebanon's political crisis. Moussa, in his continuing engagement with Lebanon, hopes to build confidence with the Lebanese opposition and foster dialogue among the various parties in Lebanon's political struggle. The Arab League will insist that any settlement include real assurances on the establishment of the Special Tribunal, which Youssef described as essential for Lebanon's future. Insistence on the Tribunal as part of a political settlement will put to the test the opposition's stated willingness to accept its establishment. The opposition's demand for a cabinet expansion beyond the "19 10 1" formula proposed by Moussa in December could be accommodated as long as the opposition gives (unspecified) guarantees that its share of the cabinet would be used for veto power only, not to bring the cabinet down. Meanwhile, the opposition's statements are emphasizing more and more the Aoun agenda of a new election law and new parliamentary elections prior to the fall 2007 selection of a new Lebanese president. Moussa will likely return to Beirut soon, Youssef suggested, but not to carry messages from one side to another; the sides would have to engage directly. Syria will soon have no choice but to accept Lebanon's independence and establish normal diplomatic relations. Finally, United States support to Lebanon is helpful but not if it results in public statements of support that embarrass Siniora in the eyes of the Lebanese public. End Summary.

ARAB LEAGUE AS HONEST BROKER?

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12. (C) Polchief called on Ambassador Hisham Youssef, Deputy to Arab League Secretary-General Amr Moussa, at the home of Lebanese Ambassador to the League Abdelrahman Solh. Youssef had just arrived that afternoon for a three-day visit to determine whether the political atmosphere in Lebanon would be conducive to another round of mediation by Moussa. On his schedule are meetings with the Prime Minister, Speaker Berri, and representatives from Hizballah.

¶3. (S) Youssef admitted the League had a slight credibility problem due to its perception as a Sunni-dominated institution, but said Moussa would work to overcome Shia suspicion in Lebanon just as he had in Iraq. Nevertheless, the opposition suspects that the League's efforts constitute a Sunni plot to drag out the crisis until the Chamber of Deputies opens in March, at which time the government will find some way to force the legislature to approve legislation establishing the Special Tribunal.

#### TRIBUNAL -- A MUST FOR LEBANON

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¶4. (S) All Security Council Resolutions on Lebanon are non-negotiable and must be implemented, Youssef affirmed, including UNSCR 1664 requiring the establishment of the Tribunal. The Arab League views the Tribunal itself as crucial and rejects proposals to delay its establishment, including by consigning it to a committee for indefinite study. The tribunal may be a red line for Syria (or for elements of the Lebanese opposition) but as of yet there has been no mechanism for testing this hypothesis.

¶5. (S) The opposition is willing to work on the tribunal creatively, Youssef averred, speculating that Hizballah might accept the tribunal with some modifications, including provisions to free prisoners who have not been charged and to pay compensation to the exonerated. Hizballah also fears the tribunal could be used to prosecute its leaders, Youssef said. Polchief countered that in the more than two decades since Hizballah's leaders killed and harmed Americans, the United States had not sought to use a tribunal mechanism to prosecute the terrorists, and that the Tribunal documents in any event set a very clear start date -- October 2004 -- for the Tribunal's jurisdiction.

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#### POLITICAL SOLUTIONS

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¶6. (S) Youssef agreed that the opposition's statements have begun to emphasize more and more its demand for a sequence of actions including: (1) electoral law reform, (2) new parliamentary elections, and (3) new presidential elections, in that order, and all within the next six-eight months. This demand would appear to serve Michel Aoun's interests more directly than the opposition's prior demand for a mere expansion and restructuring of the cabinet. (Comment: The Parliamentary focus derives from Aoun's need for a new electoral law, and then new parliamentary elections to increase the number of Aoun's seats in Parliament at Saad Hariri's expense. Aoun needs these seats, and it is not at all clear that he would win them, if he is to be elected president later this year. End Comment.)

¶7. (S) If the crisis can be solved by a cabinet expansion, Youssef believes, the opposition can give (unspecified) guarantees that it would use a "one-third-plus-one" share of the cabinet to exercise a veto, but not to bring the cabinet down. In such an event, the clever "19 10 1" formula (which guarantees a veto, but not a government overthrow, for the opposition) could be abandoned in favor of the "19 11" the opposition seeks.

¶8. (S) Asked whether Lebanon's crisis would be solved inside or outside Lebanon, Youssef demurred. He reiterated Moussa's December message, however, that Moussa would not return to Lebanon merely to carry messages from one side to another; the parties must speak to each other. Asked whether Syria's refusal to establish an embassy in Beirut reflects an intention by Damascus to reassert its hegemony here or a mere inability to face up to the humiliation of its withdrawal, Youssef said it would take time for Damascus to come to grips with the reality that Lebanon is independent and that in the end Syria would have no choice but to establish diplomatic

relations.

19. (S) United States support to Lebanon is helpful, Youssef said, but an excess of public support such as that shown on January 25 could "smother" Siniora in Lebanon's internal politics. Finally, Talal el Amine, the Lebanese Arab League Cabinet member accompanying Youssef, asked polchief whether the United States intended to fight Iran in Lebanon. Polchief responded that USG support for Lebanon reflected the strong support for Lebanese independence within the USG and the United States in general.  
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